

REMARKS/ARGUMENTS**I. Introduction**

Claims 1-2, 4-12, 14-22 and 24-32 have been canceled. Accordingly, claims 3, 13 and 23 are now pending.

The drawings were objected to in the office action because the Examiner could not find a reference to element 130 of Fig. 1 in the application. Such a reference is present on page 11, line 1 of the application.

In addition Claims 3, 13 and 23 were objected to as being dependent upon a rejected base claim but it was indicated that these claims would be allowable if rewritten in independent form. Applicants have rewritten these allowable claims in independent form and canceled all the other claims.

Accordingly, as discussed further below, the Application is now in condition for allowance.

**II. The Objection to The Drawings Has Been Overcome**

In the Office Action the Examiner objected to the Drawings stating:

... they include the following reference sign(s) not mentioned in the description:  
Figure 1, Element 130. (Office Action, Page 2)

Applicant traverses this objection and requests that it be withdrawn in view of the fact that Figure 1, Element 130 is clearly referenced on Page 11, line 1 of the specification which states, in the context of describing Figure 1, "... a **server 130** might transmit requested program code for an application program ...". (Bold added for emphasis)

Given that the server 130 is discussed on page 11, line 1 of the application, it is respectfully submitted that the objection to the drawings has been overcome.

**III. The Objection to Claims 3, 13 and 23 has Been Overcome**

In the Office Action the Examiner indicated that claims 3, 13 and 23 were directed to allowable subject matter but objected to these claims for depending from a rejected base claim. Claims 3, 13 and 23 have been rewritten in independent form including features of the claims from which they previously depended.

Accordingly, as amended, these claims are now in condition for allowance.

**Conclusion**

In view of the foregoing amendments and remarks, the applicant respectfully submits that the pending claims are in condition for allowance. Accordingly, the applicant requests that the Examiner pass this application to issue. **If there are any outstanding issues which need to be resolved to place the application**

in condition for allowance, the Examiner is invited to call Applicant's undersigned representative to discuss and hopefully resolve said issues over the phone.

Respectfully submitted,

July 26, 2004

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**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper (and any accompanying paper(s)) is being facsimile transmitted to the United States Patents and Trademark Office on the date shown below.

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Michael P. Straub

Signature

July 26, 2004

Date